

EXHIBIT D

exhibit B

TRUTH-IN-SENTENCING GUILTY PLEA FORM
IN THE SUPERIOR COURT OF THE STATE OF DELAWARE
IN AND FOR KENT COUNTY

STATE OF DELAWARE

v. PEPPER, Monty C.ID: 040202044-0401017318CRA: IK-04-03-6757-0360; IK04-02-*The defendant must answer the following questions in his or her own handwriting.*Date of Birth 032859Last grade in school completed 11th grade

Have you ever been a patient in a mental hospital?

- | | |
|---|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Are you under the influence of alcohol or drugs at this time?

Have you freely and voluntarily decided to plead guilty to the charges listed in your written plea agreement?

Have you been promised anything that is not stated in your written plea agreement?

Has your attorney, the State, or anyone threatened or forced you to enter this plea?

Do you understand that because you are pleading guilty you will not have a trial, and you therefore waive (give up) your constitutional right:

- (1) to be presumed innocent until the State can prove each and every part of the charge(s) against you beyond a reasonable doubt;
- (2) to a speedy and public trial;
- (3) to trial by jury;
- (4) to hear and question the witnesses against you;
- (5) to present evidence in your defense;
- (6) to testify or not testify yourself; and,
- (7) to appeal to a higher court?

 Yes No

OFFENSE	STATUTORY PENALTY	SENTENCE	DISCIPLINE
Rape 2 ^d	10-25y	desirous	2-5y L v//041-
Use Computer for Child Sexual (2x) 0-8y (x3)	desirous	up to 62y L v	
Poss C.c.i. form (3x) 0-3y (x3)	desirous	up to 9m L v	

TOTAL CONSECUTIVE MAXIMUM PENALTY: Incarceration:

50y.Fine: desirous

NON-CITIZENS: Conviction of a criminal offense may result in deportation, exclusion from the United States, or denial of naturalization.

Do you understand that, if incarcerated, you will not be eligible for parole, and the amount of early release credits which you may earn will be limited to a maximum of ninety (90) days per year?

- | | |
|---|-----------------------------|
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

Is there a minimum mandatory penalty?

If so, what is it? 15y.

Is there a mandatory revocation of driver's license or privileges for this offense or as a result of your plea?

- | | |
|------------------------------|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
|------------------------------|--|

If so, what is the length of revocation? years

Has anyone promised you what your sentence will be?

- | | |
|------------------------------|--|
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

Were you on probation or parole at the time of this offense? (A guilty plea may constitute a violation.)

Do you understand that a guilty plea to a felony will cause you to lose your right to vote, to be a juror, to hold public office, and other civil rights?

- | | |
|---|-----------------------------|
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
|---|-----------------------------|

Have you been advised that this is an offense which results in the loss of the right to own or possess a deadly weapon?

- | | |
|---|-----------------------------|
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
|---|-----------------------------|

Have you been advised that this is an offense which requires registration as a sex offender?

- | | |
|---|-----------------------------|
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
|---|-----------------------------|

Are you satisfied with your lawyer's representation of you and that your lawyer has fully advised you of your rights and of your guilty plea?

- | | |
|---|-----------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

Have you read and understood all the information contained in this form?

- | | |
|---|-----------------------------|
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

Defense Counsel

Date

Defendant

Print name: BEN DESSNER SAVINPrint name: Monty Pepper

Superior Court in the State of Delaware, Kent County

Exhibit C

PLEA AGREEMENT

State of Delaware v. Mgnty C. Pepper
Case No(s): 0402012034 Cr.A.#s: 0401017318

- Title 11HAB. OFFENDER _____ BOOT CAMP ELIGIBLE INELIGIBLE
 RULE 11(e)(1)(C) – If out of guideline, reason is as follows: _____
 Title 11, § 4336, sex offender notification required Title 11, § 9019(e), forensic fine \$100(F), \$50(M)

Defendant will plead guilty to:

Count CrA# Charge [LIO if applicable]

1	KO4-02-0594	Rape Second Degree Use of Computer for Child Prohibited Sex with use Computer Child Prohibited Sex with
3	KO4-03-0351	Poss Child Pornograph
4	KO4-03-0362	Poss Child Pornograph
17	KO4-03-0366	Poss Child Pornograph
19	KO4-03-0367	Poss Child Pornograph
20	KO4-03-0368	Poss Child Pornograph

Upon the sentencing of the defendant, a nolle prosequi is entered on the following charges all remaining charges on this indictment: 04010173184 0402012084

Count CLA# Charge

Sentence Recommendation/Agreement: PSI Immediate Sentencing

State and Defendant agree to the following:

- Restitution:

No contact w/ Brittany Bartsch & her son
 Other Conditions:
forf computers; no access to computers;
of no contact with children 18 years - greatest
type of contact (a) See Matter, to be determined
by Court & PST

DAG: Marie Connor Graham
PRINT NAME: Marie Connor Graham
SIGNATURE:

DEF. COUNSEL: DET DEGRAT JAVIN
PRINT NAME

DAG: New Home
PRINT NAME

PRINT NAME
Marie O'Connor Graham
SIGNATURE

2

~~SIGNATURE~~

Date: 28/6/07

DEFENDANT:

XC: Attorney for Defendant, Defendant
Attorney General, Attorney General Worksheet

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